"The Citadel" Opens, Loew's, Toronto

CANADIAN MOVING PICTURE DIGEST

RAY LEWIS
Editor and Publisher

Vol. 30, No. 31 | TORONTO 2, CANADA | November 19th, 1938

IT'S FUN TO BE ON A WINNER!

(See Inside Cover)

PUBLISHED BY
CANADIAN MOVING PICTURE DIGEST COMPANY LIMITED
259 SPADINA AVENUE, TORONTO 2

(Above: Advertisement from N.Y. newspapers)

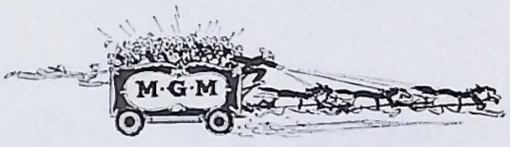
M-G-M SWEEPING AMERICA!

READ THIS!
(from Hollywood Reporter)

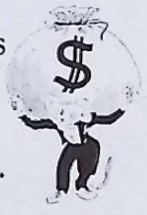
"**IT'S** fun to be on a winner!"

THAT'S what thousands of M-G-M showmen are gleefully shouting!

A FEW late-comers are losing no more time. They're climbing on the band-wagon because this M-G-M Parade of Hits is something never before witnessed in film history!



M-G-M set its ambitious *and expensive* production plans months ago.



AND now, week after week, your play-date is an "A"-date.

WHEN you examine that piece from Hollywood Reporter, remember that all those BIG pictures are coming to you WHILE AMERICA IS EXPERIENCING GROWING BOOM TIMES WITH A MONEY-SPENDING PUBLIC HUNGRY FOR ENTERTAINMENT!

(As we leap to press: Just previewed another honey of a hit "SPRING MADNESS". *It's the "Flaming Youth" of 1938. Sure-fire box-office!)*

KEEP stepping with Leo, gents!

HE has earned your enthusiastic co-operation in getting the maximum results with his great entertainments, proper booking, high-powered showmanship, extra playing time.

AND "The Friendly Company" thanks you for your co-operation.

TRADE VIEWS by W. R. WILKERSON

IN THE recent production history of Metro-Goldwyn-Mayer, they never have been in such an advantageous spot as they are at present. MGM actually has 12 pictures finished and awaiting release—a schedule that takes them through every week, with a release, until the last day of this year. A condition new to MGM and one that certainly will place them in a position of doing even greater pictures than they have in the past, because of a breathing space, in their rush to meet release dates.

• Metro has waiting "Young Dr. Kildare," "Listen Darling," "Citadel," "The Hardys Out West," "The Shining Hour," "Flirtation with Fate," "Dramatic School," "Katharine the Last," "Christmas Carol" and "Sweethearts." And it has, in various forms of shooting, "New York Cinderella" with Tracy and Lamarr; "Honolulu" with Eleanor Powell, Bob Young and Burns and Allen; "Stand Up and Fight" with Bob Taylor and Wallie Beery; "Idiot's Delight," with Shearer and Gable; and "Ice Follies" with Crawford and Jimmie Stewart.

• Consequently, with the releases far ahead, with opportunities to see pictures much in advance of release to scheme better advertising, publicity and exploitation, AND MOST IMPORTANT, to give the producers a "breather," Metro should jump far ahead of itself in making the entertainment that won for it the reputation of "the Tiffany of production."

• Metro's big effort comes at a time when the industry needs it most, because nothing means anything other than good pictures, and good pictures will kill off all the obstacles MGM, and every other production organization and the entire picture industry, has been burdened with for months.

M-G-M "A" LANDSLIDE!

Canadian Moving Picture

Established in 1915

CABLE: RAYDIGEST

Y LEWIS
ND PUBLISHER

"EASY TO DIGEST"

The CANADIAN MOVING PICTURE
DIGEST

A Weekly Publication devoted to the Moving Picture Industry

CRIPTION:
ONE YEAR

MILLER BUILDING
259 SPADINA AVENUE
TORONTO

TELEPHONE
WAVERLEY 4929

The Digest International Press Film Service

Dear Exhibitor:

Who LED THE WAY for securing legislation in relationship to the Music Tax?

Who LED THE WAY for the elimination of the tax on theatres charging a maximum of twenty-five cents?

Who is the ONE AND ONLY FILM INDEPENDENT IN CANADA, who has never exploited its Independence nor its championship of Independent Exhibitors, to make any profit for itself?

Your answer is THE DIGEST!

For close to twenty-five years THE DIGEST has SERVED YOU! A CANADIAN paper for the Service of CANADIAN SHOWMEN!

Again THE DIGEST LEADS THE WAY! Now, we introduce a new SERVICE for EXHIBITORS! Every Paid Subscriber may send his problems to The Digest's LEGAL DEPARTMENT, and receive LEGAL ADVICE - FREE!

Send your subscription to THE DIGEST - $2.00 for one year's subscription, 52 copies. Mail it NOW! Take advantage of the REDUCED SUBSCRIPTION RATE and our Special SERVICE! Support your Friend - your Enemy can support himself!

Paid subscribers will have a greeting card with their name, published in the Special Christmas Number of THE DIGEST - FREE for the asking - if the subscription is received before December 14th.

Ray Lewis

Editor and Publisher.

Canadian Moving Picture DIGEST

Established 1915
Publication: Weekly
Subscription: $2.00 yearly
JAMES LEWIS SMITH
Associate Editor

Digest International Press Film Service syndicating 500 leading newspapers in Canada. U.S.A. and Great Britain.

RAY LEWIS
Editor and Publisher

"Easy to Digest"

Published by
Canadian Moving Picture
Digest Company, Limited
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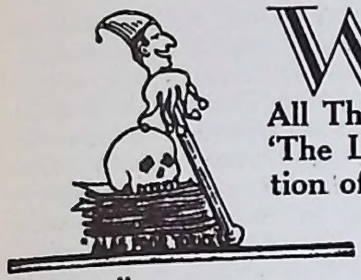
Vol. 30, No. 31 | TORONTO 2, CANADA | November 19th, 1938

IT IS TO LAUGH



W. C. SELLAR, joint author of "1066 And All That", has an article in 'The Landmark' a publication of the English Speaking Union, headed, "An Analysis of Nonsense".

We have had so many nonsensical films, which have made a civilized world laugh, and for which we have half-apologized, the latter attitude provoked by the sheer nonsense which these films presented, that it is interesting to observe that this kind of laugh-stuff has its place among the arts, and that renowned writers have given it a unique position in literature.

Mr. Sellar cites "Alice in Wonderland" and "Alice Through the Looking-Glass" as having "opened people's eyes to the possibilities of nonsense". In addition to Lear and Carroll, names such as G. K. Chesterton, James Stephens, Beachcomber, Clerihew Bentley, Stephen Leacock are mentioned, and incidentally Gertrude Stein, the latter who may have intended her poetry to be considered in the realm of, "It is to laugh", but whether she did or not, we laughed anyway.

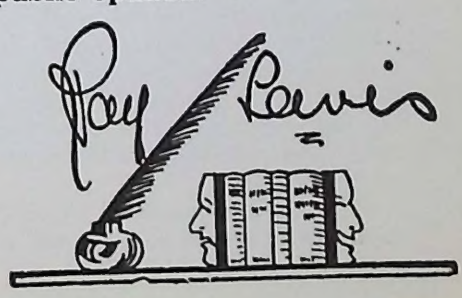
Sellar presents an argument in favour of screen artists. We will quote him, for such an argument to appear in the English Speaking Union publication, devoted mainly to articles of a particularly educational tempo, shows a disposition on the part of the English to unbend to what might be called American humour, as this applies to the Marx Brothers. As for Walt Disney, he stands in a class by himself, his humour and art being universal.

But let us quote "The Landmark": "On the cinema the Marx Brothers and the work of Walt Disney show exactly the same spirit. The Marx Brothers are a case in point. You cannot deny a place in the kingdom of Nonsense to a man who, on entering a house, invariably opens his umbrella and lays it down open, without comment of any sort, on the drawing-room carpet. I am not quite so sure of his brother, Harpo Marx, who eats half a banana and then closes the banana with a zip-fastener, keeping the other half for a future occasion. There is something so apt about that, that I wonder whether it isn't just common-sense".

STUPIDITY!

WILL some one tell us how it is possible for the Famous Players Canadian to successfully operate a chain theatre circuit which combines production, distribution and exhibition, under the parenthood of Paramount? Famous Players is affiliated with an Independent circuit of theatres, an exhibitors' protective association, a co-operative group of exhibitors, and an independent exchange. This exchange not only secures pictures for distribution from the U.S., but from Great Britain, and it is indirectly associated with the production of British Pictures in England, equipment supplies, and it is organizing, we hear, a Service for Equipment and Sound in Canada. Affiliated Interests are interested in billboard and sign advertising, interested in the manufacture of prints, the buying of motion picture trademarks. There is an affiliation interested in procuring and distributing 16mm. films to churches, town halls, etc. The best of the product of all the motion picture trademarks which come into Canada, are submitted to Famous Players first, and Famous Players is interested in securing these pictures at the best prices, in order to give the Famous Players Canadian shareholders a dividend on their investment, so we presume.

How any company can function successfully to cover such opposing and competitive fields of operation, and why such a company has no sense to observe, that its expansive acquisitiveness is right out of step with the march of time, and that this policy must get this company into serious trouble, is evidence of stupidity, or an indifference to public opinion.



RAY PRESENTS

RAY LEWIS

I HAVE been reading so much of sorrow in the press, since Germany's Black Thursday, that to tell you that Jews are not to be permitted to attend Motion Picture Theatres in Germany, because it would hurt the cultured and gentlemanly Nazi to have a Jew sit beside him, might make you smile a bit through this depressing atmosphere. This restriction is among the new decrees of purified Germany, which legislates its fanatical tyranny.

Hitler's girl friend is in New York. The press certainly gave her front page space when she arrived to "do her bit" for the Chancellor. You note, that after the first day's interviews, someone must have tipped Leni off, not to speak so familiarily of the august person of his satanic majesty. Leni was referring to the Chancellor, as "Hitler", not even with the prefix of "Herr", but in the following interviews she called her "boy friend" the "Chancellor".

Any exhibitor, who exhibits Leni's film, which by the way took the International Film Festival Prize, is a traitor to God and to Democracy. This film is no more nor less than a news reel of the Olympic Games at Germany, during which period Jews and Catholics had a few week's respite from torture, for the Nazis were on their "best behaviour" before world visitors.

Any exhibitor, or distributor, who has anything to do with the Nazi-made films, is getting his neck ready for Hitler's Executioner.

WHAT is the Motion Picture Industry doing for Democracy? When I was in London, Eddie Cantor raised three hundred and sixty-five thousand dollars for refugees. Our theatres could raise millions of dollars. Why not set a day aside for Refugees, the money to be used, not to pay Naziland as a ransom, but to be used as a settlement fund with which to take out of the Reich, those people who have lost everything, and have not the money to lift themselves out of the hell which is far worse than death!

Let us consider these Nazis, and the extent of their madness. The Jews are a minority, there are approximately fifteen millions, all over the world. They are easy scapegoats for Tyranny, but the Catholics, whose numbers run into hundreds of millions, who have friends in every man's land, who have riches and power and influence in every capital of the civilized world, these too are being tortured, imprisoned, oppressed, these too are in concentration camps, these too, like the Jews are being accused of being immoral; in fact a monastery was recently closed and the Brothers imprisoned on a charge of immorality.

It is such defiance of all people, of all religions, of all creeds and dogmas, which warns us to be ready to give battle. Other victims are the Democracies of the World, and their statesmen, men like President Benes of Czechoslovakia, men like Churchill, like Lloyd George, like Duff Cooper, the latter who are referred to as assassins, yes and even the Prime Minister of England, so recently lauded, and who is now grouped with the rest of England's inefficient "umbrella carriers". The Nazis would discard the "umbrella" for the Nazi walking stick, which is a barbaric club, or a whip applied to old men and women, young men and women, young boys and girls, whenever the Nazi appetite has a thirst for blood-spilling!

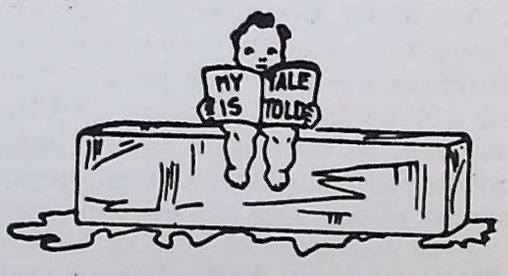
OUR theatres could not only raise funds for the refugees of Nazi tyranny, but could use their theatres as mediums for the presentation of the Good of Democracy.

I am aware that a theatre is not normally a medium for propaganda, but we are not living in normal times, we are at war, a war for God and Democracy, a war against Hitler, Goebbels, Goering and the whole pack of Nazi devils!

It has been said, that the Minister of Nazi Education and Propaganda, has spent a hundred million dollars educating the people to hate God and Democracy, sending forth a Creed of Hate all over the world.

Are we to wave an olive branch and cry "Peace, Peace"? Gun rhymes with Hun, and so we need Guns to speak the language of Huns. Are we to say, "no propaganda on our screens, no propaganda on our radios", and leave the battle of telling the people the truth, warning them of their peril through the pulpit and the press? Is Radio and Screen to let us down in the hour of our peril?

It it God, or the Golden Calf? It is for you to choose, but in choosing, know this, that GOD HAS WON EVERY BATTLE WAGED AGAINST HIM, THAT MILLIONS AND MILLIONS OF YEARS AGO HE CAST LUCIFER OUT OF HEAVEN, EVEN LUCIFER WHO WAS THEN MIGHTY AMONG THE ANGELS AND HAD A HOST OF FALLEN ANGELS FOR HIS ALLIES!



Digest Reviews and Previews

is nil; direction is z-minus; acting even worse, including Karloff, and the screenplay is a joke.

Mr. Wong (Boris Karloff), Chinese-American detective of the F.B.I. is called in on a murder case, when three partners in a chemical plant are successively murdered. Suspicion is divided between a half dozen suspects, but Mr. Wong gets the right man in the end, as well as putting behind bars some foreign spies.

Karloff is ill at ease in the role of the detective, but the second of the series may show considerable improvement, for the material is there, if properly handled. Only other names in the cast who might mean something to your patrons are Grant Withers, cast as a police captain, and Evelyn Brent as a foreign spy. Others in the cast include Maxine Jennings, Lucien Prival, John St. Polis, William Gould, Hooper Atchely, John Hamilton and Frank Bruno.

Even as the lower bracket on a double-bill, you won't find much to cheer about in this picture. Pass it up.

Directed by William Nigh.

Running time—67 minutes.

PERSONAL MUSINGS

TWO very cheering notes that your correspondent is happy to report this week. Bobby Stevens, of Sudbury, Creighton Mines, etc., has returned home from a Toronto hospital, after a tough siege. Secondly, the many friends of Ronny McLelland, of Famous Players, will be glad to hear that he is well on the road to recovery from his recent illness, and those who have seen him, report that he is in full voice once more. He is expected to leave the hospital next week.

M. T. Craig, of Dresden and Ridgetown, Ont., in town this week.

Morris Milligan of Paramount and Johnny "Dinnerware" Cohen have resumed their wagers on the National Hockey League games, much to the edification of the Luncheon Club. Gord Lightstone, Metro manager here, is once more siding with Morris in all arguments re the wagers.

Joe Franklyn, of the Franklyn-Herschorn chain of theatres in the Maritime Provinces was in Toronto this week, telling all and sundry that his new theatre, the Mayfair, at Dartmouth, N.S., is the finest theatre this side of the Radio City Music Hall.

Instead of the ordinary boycott of German goods, they have a new scheme working in Chicago and several other American cities that is said to be working out first rate. A large group of housewives have banded together to make purchases at several big department stores. The goods are delivered, and on delivery said housewives "discover" that the goods were made in Germany. They are immediately returned, with the reason given. We hear the idea is proving most effective.

Arthur Gottlieb, of Canadian Film Laboratories, in town.

Winchell's crack that there are only two kinds of people in Germany today, Non-Aryans, and Barb-Aryans, is the best we have heard to date.

Dave Copeland of Columbia will gladly give a small fortune to anyone who can tell him how to get rid of a miserable cold which he has had for some time. Address your cures care of this correspondent, I might be able to collect an agent's fee.

For the second year in a row, Warner Bros. are dedicating their sales drive to the company's general sales manager, Gradwell Sears. This is the Drive that last year was won almost exclusively by the Canadian offices, with Mickey Isman of Montreal copping first prize, Bob Simmons of Winnipeg, second, and Harry Paynter of Toronto, third. In addition, Wolfe Cohen was the district prize of umpteen thousand dollars. The new Drive starts Dec. 25th, and the Canadian boys are out for blood again this year. Look out, America, here they come!

Simon Meretsky of Windsor was telling the boys recently that in his opinion the finest actress Paramount has is that Jewish star, Claudette Goldberg. Also we learn from Simon, that in Germany they are putting the Jews in "administration camps" these days.

Tommy Ross, of the Royal, Bowmanville, was a visitor to Toronto this week.

"Say L."

SHOW SAFETY FILM

Toronto, Ont. — A new safety film, entitled "Man at the Wheel", opened at the Uptown Theatre, Toronto, Thursday. The feature is being shown in connection with the March of Time, and is sponsored by the National Safety Council of America. It is also endorsed by all the Canadian and American safety organizations. The picture sequence is a direct presentation of how accidents can be prevented.

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Stop! Look! Listen!

Congressman Bruce Barton; Mrs. Ogden Reid, vice-president and publisher of the New York Herald Tribune; Dr. James E. West, chief Boy Scout executive; Hendrik Wilhelm van Loon, historian and writer, and Mrs. Helen Wills Moody — to serve as judges in the Movie Quiz Contest . . . Knights of Columbus offer to support move to amend Quebec Film Act; current plan calls for censor board to approve releases for children under 16 . . . Sonja Henie's ice carnival, with Toronto's Stewart Reburn paired with Miss Henie in "doubles", concludes record-breaking Hollywood run, and goes on the road; the troupe will definitely appear at the Maple Leaf Gardens, Toronto . . . Report 20th Century-Fox may take over booking of G-B pictures in the U.S., in addition to physical distribution of the pictures, with G-B retaining own salesmen . . . Checkup reveals 19 authorized television stations operating in the U.S. . . . Adolph Zukor to remain as chairman of the board of directors of Paramount, despite his change of locale from Hollywood to London, England . . . Canadian Performing Right Society, Ltd., applies to Federal Government to approve its schedule of "fees, charges or royalties", as from January 1st, 1939; the Society will not increase the seat tax from that collected during 1938, but it proposes to collect an entirely new fee against every radio receiving set, privately owned or otherwise, 14 cents from every private or domestic owner, and $10 for every radio receiver commercially used . . . David Sarnoff, speaking before the Federal Communications Commission, urges formation of "Hays Organization" for the Radio Industry . . . United Amusement Corp. of Montreal, announce dividend of 30 cents, plus an extra of 15 cents, for the six-month period ending Oct. 31 . . . Samuel Goldwyn leases Alexander Korda Studios, Denham, England, to produce "Colonel Rowan of Scotland", starring David Niven.

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of your
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depends upon
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104 BOND STREET TORONTO • 336 MAYOR STREET MONTREAL

F. E. Spencer, Chief Animator For Walt Disney, Killed In Motor Accident

Legally Yours

By M. S. MILLSTONE

QUESTION

O. L. S., Preston, Ont.—*If a representative of an exchange, calls on an Exhibitor, and tells him that if he does not play the product which his company is selling, that he will present this product in 16mm. film in a store across the street from the customer's theatre,*

(1) *Does this constitute a threat?*

(2) *Is the company liable for what the salesman said?*

ANSWER

(1) There is nothing in the facts as stated by you to constitute a threat within the meaning of the Criminal Code of Canada, and there is nothing in the facts which would constitute a good cause of civil action. If, however, the exchange in question acts in concert with another exchange, the act might become illegal and be in violation of the Combines Investigation Act or of the pertinent sections of the Criminal Code, relating to combines, in which event both civil and criminal proceedings could be taken.

(2) Anything that the salesman does within the scope of his employment is deemed to be done with the consent and authority of the company, and the company would be liable therefor. However, since what the salesman did in this particular matter is not by itself illegal, there would be no liability on the part of the company.

QUESTION

A. L. P., Toronto, Ont.—*What do you define as a standard contract, in connection with a group of people who buy and sell the same product?*

ANSWER

A standard contract is one, which, as to substance and form has been adopted by a number of parties and is intended to be used by all of them in connection with a definite transaction. For instance in connection with the purchase of real estate there is an "Offer to Purchase" which has come into common usage and can be purchased in printed form from any law stationer. There are also standard forms of leases, bills of sale, chattel mortgages, and other legal forms all of which are commonly used by the legal profession and others. A group of people who deal in commodities of a certain kind could by common consent adopt a form of contract which would apply to all transactions of a certain kind in which they are interested.

QUESTION

J. K. B., Kingston, Ont.—*A theatre owner leased his theatre giving the lessee a right to terminate the lease at any time before its maturity. The lessee terminated the lease and delivered up possession of the theatre to the owner who found the same to be in a damaged condition and that certain fixtures were removed. What are the rights of the owner?*

ANSWER

The rights of the owner would depend upon the terms of the lease. The ordinary form of lease in general use, provides that the lessee will at the expiration or on determination of of the lease, surrender the premises together with all the buildings, erections and fixtures, in good and substantial repair and condition, reasonable wear, tear and damage by fire, lightning, and tempest only excepted. If the lease, referred by you contains the above clause the lessor would have the right to bring an action against the lessee for damages and also for the return of the fixtures.

QUESTION

A. G., Toronto, Ont.—*A company signed a lease for the operation of a theatre, and agreed to direct to that theatre, the best patronage, and then took a lease on another theatre, directing the best pictures to that theatre, and making the former leased theatre a cheaper grade house.*

(1) *Is this a violation of the lease?*

(2) *Can the owner of the theatre demand damages for depreciation of property by way of good will value?*

(3) *Has a verbal agreement entered into by several officers of a company, one of the officers being managing director, any value, when the verbal agreement is followed by a written memorandum covering details of the agreement between the company, and the party of the second part?*

ANSWER

(1) The owner of the theatre would have a right of action against the company for damages for breach of contract.

(2) The owner of the theatre would be entitled to damages based (a) on the loss of profits by reason of the breach of contract on the part of the company, and (b) on the depreceiation in the value of the theatre by reason of it becoming a "cheaper grade house".

(3) If the written agreement was intended to replace the verbal agreement, the latter of course would have no value. In any event, the verbal agreement will not be accepted in any Court of law to contradict the terms of the written agreement.

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Fairweather In the Maritimes

By ALICE T. FAIRWEATHER

THE Kent Theatre, Richibucto, N.B., will shortly be opened to the public. Richibucto has a population of about one thousand people, and is the centre of the pulp industry of the Province. The Kent Theatre is a wooden building owned by the B.E.S.L., and is used also for community purposes. As a theatre it will have a seating capacity of 250 seats. It is being made thoroughly up to date with regulation fireproof projection booth and other equipment. Mr. Harry Adkins, of Bathurst, N.B., who has had much experience in Show Business, is the manager. At present the theatre will be open four days each week, with two changes of programme and Saturday matinees.

SAINT JOHN, N.B.

SPLENDID co-operation between the Capitol Theatre, Saint John, N.B., and one of the leading stores of Saint John was shown recently when, at the very successful showing of the latest Deanna Durbin film, four dirndl print dresses were given away. Tickets for entry had been issued to teen-age girls making sure that the dresses would be won by those for whom they were suitable. Much interest was aroused by the tie-up.

Recent visitors to Saint John and to the various exchanges there were Charles Staples of the Queen Theatre, St. Stephen, N.B.; Mr. and Mrs. J. V. McLaughlin of the Opera House, Newcastle, N.B.; J. A. Williams of the Chipman Theatre, Chipman, N.B.; and Harold E. Gaudet of the Capitol, Summerside, P.E.I. Mr. Gaudet was on his way to New York for a three weeks visit. Mr. and Mrs. McLaughlin were also en route for a trip to Boston and other cities of the United States.

PROPOSE NATIONAL THEATRE

Ottawa, Ont.—Mayor Stanley Lewis of this city presided over a meeting this week to discuss proposed plans for a Canadian National Theatre in Ottawa, and to organize a committee to interview Prime Minister Mackenzie King on the project. Joseph Thibeault of Ottawa, identified with theatrical work in Canada and the United States for many years, is sponsoring the plan, which would include construction of a national theatre building here.

"Brother Rat" Excellent $30,000, On Hold-Over, Strand, N.Y.

DAMAGED GOODS

Internationally Known Story by EUGENE BRIEUX

Adapted To The Screen by UPTON SINCLAIR

This picture has been arranged for and is now being shown, or will shortly be shown, in most of the leading theatres of the country. Where the picture has been shown it has proven a tremendous Box Office Success. For the first time a picture has been acclaimed and approved, and in some provinces actually sponsored by the Governmental Authorities.

As Great Entertainment
As a Tremendous Educational Force
and Best of All As a Big Box Office Attraction

THIS PICTURE SHOULD BE SHOWN IN EVERY LOCALITY

If you have not yet arranged your dates, please communicate with our nearest office.

Shortly we will announce our CURRENT PROGRAM and we are looking forward to YOUR SUPPORT.

In the meantime, kindly check your Trade papers for REVIEWS on our FIRST FOUR PICTURES.

In addition to our Regular Program, our company will have pleasure in offering some UNUSUAL ATTRACTIONS including:

Club des Femmes WITH Danielle Darrieux

Maria Chapdelaine The Famous Canadian Classic

Produced in Canada by a French Company (in Quebec)

What a Funny Youngster WITH Danielle Darrieux

Please reserve time for all of these pictures! - - Communicate with our nearest office for any particulars!

We will be in a position to supply: One Picture a Week — Each and Every Week
COMMENCING NOVEMBER 21st, 1938.

IT'S THE GRAND NATIONAL WAY

FOR BOOKINGS

GRAND NATIONAL FILMS LIMITED

H. J. ALLEN, General Manager

VANCOUVER	CALGARY	WINNIPEG	TORONTO	MONTREAL	ST. JOHN
Film Exchange Bldg.	514-11th Ave. West	Film Exchange Bldg.	277 Victoria St.	5971 Monkland Ave.	87 Union St.

EXCLUSIVE DISTRIBUTORS FOR THE DOMINION OF CANADA

Control of Mobs Imperative — Prevent Riots

An Exhibitor's Theatre Is His Castle

By MERRYL LEA

THE Cartier Theatre, Timmins, was officially opened by Mayor J. P. Bartleman, who in his speech, said, "The combined showing of English and French pictures should do much to cement relationships between the two great nationalities that make up a major portion of our population".

The receipts of the opening night, were donated to the St. Mary's Hospital, and the "first night" was such a success that hundreds were turned away.

The Cartier, is the only theatre in Timmins which is air-conditioned. It has a seating capacity of 650, and is operated by the Rousson-Trudeau Cinemas Limited. In earlier issues of The Digest, we reported the plans of this company, which is an Ontario company, product being booked by O. L. Scott of Weston Theatre, Weston.

Mr. Joseph Bradette, M.P., addressed the audience in French and English. Mr. J. H. Trudeau, secretary-treasurer of the company, spoke in French, outlining the French product to be shown at the Cartier. Mr. O. L. Scott also discussed pictures to be booked, and Mr. J. Rushton, and Mr. Louis Rousson, President of Rousson-Trudeau Limited, talked of further company plans.

It was an extremely well-planned theatre opening, and created great interest in the Timmins community. RKO's "Carefree" was the film shown.

MR. L. H. VICARY, Manager of the Princess Theatre, speaking before the Y's Men's Club of Orillia, expressed regrets, that Orillia had not a good theatre, and that the Opera House was not used more for the development of amateur talent in Orillia by the presentation of stage shows several times a month. Mr. Vicary stated that out of ten distributors of pictures, the Princess had a contract with three, while the Opera House had seven. Answering a question, he pointed out that he would be foolish to erect a new theatre, when he could only get one hundred feature pictures a year, as against one hundred and fifty which he would require. Mr. Vicary spoke of the situation in Barrie, referring to the three modern theatres there, one of them costing $111,000, of which amount an Orillia man had subscribed $10,000 — but hadn't received interest on his money in the last four years.

THE Kamloops city council has approved an agreement whereby the municipality of Kamloops will make a $500 grant to Travel Films.

This company, upon completion of the 16mm. natural colour film of Kamloops, now being prepared, and after having shown it in at least 50 Canadian cities between Kamloops and Winnipeg, will be paid the grant as agreed upon by Kamloops city council. A check on the actual showings of the film and the approximate audience, will be made weekly. Travel Films agrees to have a member of the board of trade of each town visited, write the Kamloops City Clerk Jackson, in respect to the exhibition of the film. In other words — the 16mm. film is subsidized.

THE results of a questionnaire, which was circulated among the senior students of several city High Schools, voted A. J. Cronin's best-seller, "The Citadel", as the best book of the year. This novel, which was filmed by Metro-Goldwyn-Mayer at their English studios, starring Robert Donat and Rosalind Russell opened this week at Loew's, Toronto. The runner-up for popularity, was "Gone With The Wind" — which Selznick will film — but nobody knows just when.

In the opinion of the seniors, as to their favourite film stars, the following took top honours: Errol Flynn, Nelson Eddy, Gary Cooper, Clark Gable, and Spencer Tracy. The actresses who led in popularity were — Myrna Loy, Norma Shearer, Deanna Durbin and Jeanette Macdonald tying for third place, Bette Davis and Katherine Hepburn.

Grand total — 6 M-G-M, 2 Warner Bros., 1 RKO Radio, 1 Universal and 1 United Artists.

WHEN some 200 University of New Brunswick students, tried to gain entry to the Capitol Theatre, Fredericton, the Royal Canadian Mounted Police and City Police had difficulty dispersing the mob. The ticket taker, Lloyd Cummings, attempting to keep the students from rushing the door, was injured by the mob, but succeeded in keeping all but a small portion of the crowd from entering. The patrons of the theatre were unaware of the trouble and the show continued as usual.

This incident, recalls to mind the statement recently made by a student at the University of Toronto, during a debate in the University College Parliament. He suggested that an amusement tax of one cent be levied on every theatre ticket sold in Toronto, as a source of revenue in order to assist the city so that they might in turn, give the University a grant.

The idea of levying an amusement tax, for the purpose of supporting the University appears to us to be most unfair. As conditions are at present, the property owners support the system of education, which includes the University. The University property is all tax free, the Government gives substantial grants for its upkeep, in addition to which, private citizens donate liberally, this institute receiving generous endowments, and scholarship funds. The demonstration of behaviour of students, as exemplified at Fredericton, makes us rather wonder if all this special consideration isn't misplaced, judging by the results of this system of education, which apparently hasn't a better effect than to educate students to become part of a mob.

Samuel Goldwyn's "Cowboy and the Lady" Handsome $30,500, Day-and-Dater, Hollywood and Downtown Theatres, Los Angeles

Washington Film Digest

By MILTON F. LUNCH

ASCAP CASES BEFORE U.S. SUPREME COURT

Washington, D.C., Nov. 16—(*CTP*) THE highly important ASCAP cases before the U.S. Supreme Court are definitely assured of a hearing now by that august body, following the action last week of turning down a plea of the State of Washington for a motion to dismiss the appeal.

G. W. Hamilton, Attorney General of Washington, listed three reasons why the court should dismiss the appeal filed by ASCAP from the decision of the District Court for the Western District of Washington. The fight concerns the efforts of the States of Washington and Florida to outlaw ASCAP from operating in that state.

The State Attorney General contended that the appeal should be dismissed because (1) the Governor of the State of Washington, had not been made a defendant in the action, which challenges the constitutionality of a statute of the State of Washington; (2) because certain state and county officers sued have either resigned or died and their offices filled by others; and (3) no citation on appeal has ever been served upon the Attorney General of the State of Washington, although he has appeared in the case in his own behalf, and by an assistant Attorney General representing the Attorney General and all state officers made defendants in the action.

Taking cognizance of the second point the high court dismissed the appeal against Ernest N. Hutchison, former Secretary of State, who died in office on January 30, 1938; John D. Evans, who never was at any time prosecuting or district attorney for Yakima County, Washington, although named as one of the defendants by ASCAP; and Sam Driver, who was not District Attorney of Chelan County as alleged in the ASCAP brief. Driver resigned from that position before the case was heard in the District Court.

DISMISS DAMAGE CASE

ON the same day, the Supreme Court dismissed the writ of certiorari in the case of Texas Consolidated Theatres, Inc. vs. S. H. Pittman, charging the costs against the petitioner, Texas Consolidated.

The case involved damages recovered by Pittman due to an injury to his wife in one of the petitioner's theatres. The appeal arose when the parties arrived at a settlement, while the case was still before the Circuit Court of Appeals.

The Supreme Court declared that when the case was called for argument the respondent did not appear and Texas Consolidated submitted a statement showing that since the issue of the writ, an order upon hearing had been entered in the District Court whereby the judgement involved was decreed to be satisfied and discharged in full. Texas Consolidated suggested that the costs of the Supreme Court proceedings be taxed against it.

"NO AGREEMENT REACHED"

ABRAM F. MYERS, general counsel of Allied, issued a statement here this week denying a previous report that Allied and the major distributors had reached an "oral agreement in principle" on trade practice reforms.

The Allied general counsel said that his organization could not enter into an agreement at this time, because two of the main planks of the Allied platform had not been agreed upon. He named these as abolishment of block-booking and blind selling and separation of distribution and production from exhibition. The bulletin issued by Myers stated that the reason for this is that the distributors' committee "announced that it was not authorized to go any further on one than to offer a small cancellation privilege, and was not authorized to deal with the other at all."

"Not only does the board want the final say," the bulletin states, "but in the nature of the case there could be no agreement at this time since much will depend on the manner in which the commitments of the distributors in reference to trade practices and the details of the arbitration machinery are set down on paper."

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CHANGE PATENT BILL

WHEN the new Congress convenes, the first of the year, Industry observers will watch with much interest for the introduction of the old MsFarlane Patent Bill under a new name, and with several important changes. Congressman McFarlane, original author of the bill, was defeated for re-nomination this year and will not be in the new Congress.

Observers believe that several changes will be made to strengthen the bill. One of these being discussed by investors and patent attorneys would amend the provisions requiring that the applicant for a compulsory licence be financially able to manufacture the patent. Observers say this may be amended to stipulate that the applicant file a bond to cover an estimated one year's royalties. It is said that beyond this, the financial standing of the applicant does not concern the patentee.

Another important change being discussed in informed circles would establish as definite a scale as possible for the computation of royalties. As little as possible would be left to the discretion of the court or commission established under the bill. Experts expect this to be a rather difficult task, with much discussion on the figures, but hold that it will be necessary if the proposed act is successful in operation.

The new bill may include a provision covering the compulsory license for 5 years, which means that at the end of that time either party may reopen the question of the amount of royalties. The parties would be allowed to revise the license voluntarily during that period.

SCREEN BRITISH FILM FOR CLUB WOMEN

Toronto, Ont. — Robert Eves, manager of the Eglinton Theatre, Toronto, which has had unusual success with British films, invited a group of prominent Toronto club-women to the premiere at the Eglinton of Alexander Korda's production, "South Riding". The support of the women's clubs has been a very large contributory factor to the success of British films at the Eglinton. The guests were unanimous in their praise of the film.

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EVERYTHING FOR THE THEATRE FROM SHEET TO STREET

Vetern Film Executive, A. F. Van Beuren, Passes Away

Shooting the Stars

"SKIDS", midget auto racing murder mystery, will be METRO-GOLDWYN-MAYER'S next picture in grooming DENNIS O'KEEFE for stardom; the supporting cast will include CECILIA PARKER, Harry Carey, Nat Pendleton, Charley Grapewin, Allan Curtis and Truman Bradley . . . BASIL RATHBONE and NIGEL BRUCE have been signed by 20TH CENTURY-FOX to portray the roles of Sherlock Holmes and Dr. Watson respectively in the picture, "THE HOUND OF THE BASKERVILLES" . . . WILLIAM GARGAN has been signed for the leading masculine role opposite ROSELLA TOWNE in WARNER BROS.' "THE ADVENTURES OF JANE ARDEN"; also cast are Benny Rubin, Peggy Shannon, and Frankie Burke . . . signing Andy Devine, John Carradine, Donald Meek, George Bancroft, Louise Platt and Tim Holt for principal supporting roles, WALTER WANGER has almost completed casting for his forthcoming production, "STAGECOACH"; CLAIRE TREVOR has been announced as one of its stars, and a male star will be announced shortly . . . ASTRID ALLWYN has been assigned by RKO RADIO to one of the most important roles in the new LEO McCAREY production, "LOVE AFFAIR", co-starring IRENE DUNNE and CHARLES BOYER . . . CHARLES BICKFORD and JEAN PARKER will be co-starred by COLUMBIA in a story by JACK LONDON, entitled "POWER TO BURN" . . . BERT ROACH was signed

Ginger Rogers, whose next solo starring vehicle for RKO Radio is entitled, "Little Mother".

las week by M-G-M for a role in "HONOLULU", starring ELEANOR POWELL and JAMES STEWART; EDDIE BUZZELL is directing . . . Barry Fitzgerald, Paul Guilfoyle, Allan Lane, Douglas Walton, Arthur Loft, Halliwell Hobbes, Florence Lake and Frank Moran were this week added to the cast of RKO RADIO'S "PACIFIC LINER", starring VICTOR McLAGLEN, CHESTER MORRIS and WENDY BARRIE . . . seven feminine players have been assigned to "TOUGH ANGELS", a story of air hostesses to be produced by WARNER BROS.; already cast are Ann Sheridan, Jane Wyman, Gale Page, Marie Wilson, Margaret Lindsay, Gloria Dickson, and Jane Bryan . . . . PHYLLIS BROOKS has been given the leading feminine role in "CHARLIE CHAN IN HONOLULU", which will be SIDNEY TOLER'S first picture as Charlie Chan in the 20TH CENTURY-FOX series . . . EDWARD SMALL announced this week that he has cast FRANKIE THOMAS for one of the principal roles in "KING OF THE TURF", which will star Adolphe Menjou, and will be released through UNITED ARTISTS . . . the new JACK HOLT starrer for COLUMBIA, which went into production under the title, "OUTSIDE THE LAW", will be released as "THE STRANGE CASE OF MEADE".

Trans - Canada Showings

TORONTO

AVENUE
"Me and Marlborough" (British), with Cicely Courtneidge, and "Stella Dallas" (Goldwyn - U.A.), starring Barbara Stanwyck.

IMPERIAL
"Suez" (20th Century - Fox), starring Tyrone Power, Loretta Young and Annabella.

LOEW'S
2nd week. "Stablemates" (M-G-M), starring Wallace Beery and Mickey Rooney, and "Rich Man, Poor Girl" (M-G-M), with Robert Young.

SHEA'S
"Affairs of Annabel" (RKO Radio), starring Lucille Ball and Jack Oakie, and "Racket Busters" (Warners), starring George Brent and Humphrey Bogart.

UPTOWN
5th week. "You Can't Take It With You" (Columbia), starring Jean Arthur, James Stewart, Lionel Barrymore and Edward Arnold.

MONTREAL

CAPITOL
"Boys Town" (M-G-M), starring Spencer Tracy and Mickey Rooney.

LOEW'S
"Rose of the Rio Grande" (Monogram), starring Movita and John Carroll. Also stage show.

ORPHEUM
"The Young in Heart" (Selznick-U.A.), starring Janet Gaynor, Douglas Fairbanks, Jr., and Paulette Goddard.

PALACE
3rd week. "You Can't Take It With You" (Columbia), starring Jean Arthur, James Stewart, Lionel Barrymore and Edward Arnold.

PRINCESS
"Valley of the Giants" (Warners), starring Wayne Morris and Claire Trevor, and "Accidents Will Happen" (Warners), with Ronald Reagan.

SAINT JOHN

CAPITOL
"Arkansas Traveller" (Paramount), starring Bob Burns.

EMPIRE
"I'll Take Romance" (Columbia), starring Grace Moore and Melvyn Douglas, and "West of Shanghai" (Warners), starring Boris Karloff.

PRINCESS
"Beloved Enemy" (Goldwyn - U.A.), starring Merle Oberon and Brian Aherne, and "Woman Chases Man" (Goldwyn-U.A.), starring Joel McCrea and Miriam Hopkins.

REGENT
"Give Me A Sailor" (Paramount), starring Martha Raye and Bob Hope, and "Wives Under Suspicion" (Universal), with Warren William and Gail Patrick.

STRAND
Alcatraz Island" (Warners), with Ann Sheridan and John Litel, and "She Married An Artist" (Columbia), starring John Boles and Luli Deste.

WINNIPEG

CAPITOL
2nd week. "That Certain Age" (Universal), starring Deanna Durbin, with Melvyn Douglas and Jackie Cooper.

GAIETY
2nd week. "Love Finds Andy Hardy" (M-G-M), starring Lewis Stone, Mickey Rooney and Judy Garland, and "Rich Man, Poor Girl" (M-G-M), with Robert Young.

GARRICK
"There Goes My Heart" (Hal Roach-U.A.), starring Fredric March and Virginia Bruce.

LYCEUM
"It Happened One Night" (Columbia), starring Clark Gable and Claudette Colbert, and "The Shadow".

RIO
"The Higgins Family" (Republic), with James, Lucile and Russell Gleason, and "Man From Music Mountain" (Republic), starring Gene Autry.

CALGARY

CAPITOL
"If I Were King" (Paramount), starring Ronald Colman.

ISIS
"Goldwyn Follies" (Goldwyn - U.A.), starring Adolphe Menjou, Andrea Leeds, Edgar Bergen and Charlie McCarthy, and "Sergeant Murphy" (Warners), with Ronald Reagan.

PALACE
"There Goes My Heart" (Hal Roach-U.A.), starring Fredric March and Virginia Bruce.

STRAND
"Mother Carey's Chickens" (RKO Radio), starring Fay Bainter, Anne Shirley and Ruby Keeler, and "Sky Giant" (RKO Radio), starring Richard Dix and Chester Morris.

VARIETY
"Doctor Rhythm" (Paramount), starring Bing Crosby, and "The Chaser" (M-G-M), with Dennis O'Keefe.

VANCOUVER

CAPITOL
2nd week. "Drums" (London Films), starring Sabu and Raymond Massey.

DOMINION
"Carefree" (RKO Radio), starring Fred Astaire and Ginger Rogers, and "Racket Busters" (Warners), starring George Brent and Humphrey Bogart.

ORPHEUM
"Men With Wings" (Paramount), starring Fred MacMurray and Ray Milland.

PLAZA
2nd week. "There Goes My Heart" (Hal Roach-U.A.), starring Fredric March and Virginia Bruce.

STRAND
"Just Around the Corner" (20th Century-Fox), starring Shirley Temple, and the Jones Family in "Down on the Farm" (20th Century-Fox).